



Order Filed on September 14, 2023
by Clerk,
U.S. Bankruptcy Court
District of New Jersey

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-2(c)

53411

Morton & Craig LLC

110 Marter Ave., Suite 301

Moorestown, NJ 08057

Attorney for Mercedes-Benz Vehicle Trust successor
in interest to Daimler Trust

In Re:

FREDERICO C. MAGALHAES

Case number: 22-13079

Adv. No.

Hearing Date: 8-23-2023

Judge: (SLM)

ORDER FOR ARREARAGE CURE, REGULAR MONTHLY PAYMENTS, INSURANCE, COUNSEL FEES, AND STAY RELIEF UNDER CERTAIN CIRCUMSTANCES

The relief set forth on page number two (2) through three (3) is hereby **ORDERED**.

DATED: September 14, 2023

Stacey L. Meisel
Honorable Stacey L. Meisel
United States Bankruptcy Judge

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Debtor: Frederico C. Magalhaes / 53411

Case No: 22-13079

Caption of Order: Order for arrearage cure, regular monthly payments, insurance, counsel fees, and stay relief under certain circumstances

This matter having brought before this Court on a Motion for Stay Relief filed by William E. Craig, Esq., attorney for Mercedes-Benz Vehicle Trust successor in interest to Daimler Trust, with the appearance of Herbert Raymond, Esq. on behalf of the debtor, and this Order having been filed with the Court and served upon the debtor and his attorney under the seven-day rule with no objections having been received as to the form or entry of the Order and for good cause shown, it is hereby

ORDERED:

1. That Mercedes-Benz Vehicle Trust successor in interest to Daimler Trust (“Mercedes-Benz”) is the holder of a first purchase money security interest encumbering a 2022 Mercedes-Benz GLE450 bearing vehicle identification number 4JGFB5KB0NA653019.
2. That the debtor’s account has arrears through August 2023 in the amount of \$6,840.21. The debtor is to cure this arrearage by August 19, 2023 or Mercedes-Benz shall be entitled to immediate, self-executing stay relief and may repossess and sell said vehicle without further application to the Court. The terms of this paragraph are deemed to be self-executing in nature
3. That beginning with his September 2023 payment, the debtor is to make each monthly payment directly to Mercedes-Benz under the terms of the retail installment contract. If the debtor fails to make any monthly payment to Mercedes-Benz within thirty (30) days after each payment falls due, Mercedes-Benz shall be entitled to stay relief upon filing a certification of default with the court and serving it on the debtor, his attorney, and the chapter 13 trustee.

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Debtor: Frederico C. Magalhaes / 53411

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4. That the debtor must maintain insurance on the vehicle. The vehicle must have full comprehensive and collision coverage with deductibles not exceeding \$500.00 each. Mercedes-Benz Vehicle Trust successor in interest to Daimler Trust must be listed as loss payee. If the debtor fails to maintain valid insurance on the vehicle, Mercedes-Benz shall be entitled to stay relief upon filing a certification that insurance has lapsed and serving such certification on the debtor, his attorney, and the chapter 13 trustee.
5. That the debtor is to pay Mercedes-Benz a counsel fee of \$438.00 through his chapter 13 bankruptcy plan.